

THE LEGACY OF FERGUSON: BUILDING WORKER,
COMMUNITY, AND STUDENT POWER TO RESPOND TO
THE CARCERAL STATE

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ABSTRACT

The 2014 killing of Michael Brown in Ferguson, Missouri sparked national outrage regarding police violence in Black communities. But as time passed, Ferguson came to symbolize more than another episode of law enforcement violence. A Department of Justice (DOJ) report revealed that Ferguson's city coffers relied on an intentionally extractive criminal legal system that aggressively levied fines and fees in a racially discriminatory manner. As the DOJ findings illustrate, advocates seeking to transform or abolish the criminal legal system must rigorously analyze the political

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economy of the carceral system in their locale.

We describe a law school course aimed at this kind of analysis and action. The course, *Building Worker and Community Power to Confront the Carceral State*, was a collaboration between a law school class and a community organization, Beyond the Bars (BTB). BTB is a Miami-Dade County, Florida worker center that empowers people with criminal records, helps them reintegrate into society and family life, and organizes for policy changes that improve their economic position. The course engaged students in movement lawyering focused on the problems of mass incarceration and the economic exploitation of carceral system-impacted workers. Carceral practices create and deepen poverty and depress wages in labor sectors characterized by precarity and dangerous working conditions. By collaborating with BTB members on reforms to county policies, students developed an understanding of the systemic forces that sustain the criminal legal system, the experiences of those directly impacted by carceral policies, and the leadership capabilities of carceral system-impacted people. We conclude by describing the possibilities for legal education to support social movements committed to dismantling the carceral state.

INTRODUCTION

The Ferguson uprisings were triggered by the killing of Michael Brown, the details of which were horrific. The narrative of a jaywalking stop that spiraled out of control, with a white officer shooting an unarmed Black teenager who had his hands raised in surrender,¹ struck a chord with communities across the country. These tragic details informed the rallying cry for the subsequent protests: “Hands Up, Don’t Shoot!”² Over

1. The details of the shooting are disputed. *See* DEP’T OF JUST., DEPARTMENT OF JUSTICE REPORT REGARDING THE CRIMINAL INVESTIGATION INTO THE SHOOTING DEATH OF MICHAEL BROWN BY FERGUSON, MISSOURI POLICE OFFICER DARREN WILSON 8 (2015), https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj_report_on_shooting_of_michael_brown_1.pdf [<https://perma.cc/6SEZ-QZH4>] (concluding while “there are several individuals who have stated that Brown held his hands up in an unambiguous sign of surrender prior to Wilson shooting him dead, their accounts do not support a prosecution of Wilson” because of conflicting witness reports).

2. *See generally* JENNIFER E. COBBINA, HANDS UP, DON’T SHOOT: WHY THE PROTESTS IN FERGUSON AND BALTIMORE MATTER, AND HOW THEY CHANGED AMERICA (2019) (discussing the historical context and killings of Michael Brown and Freddie Gray, the Ferguson and Baltimore resident response, and individual experiences with the Black Lives Matter movement).

subsequent months, police and protestors clashed in the streets, not just in Ferguson, but across America, sparking a national discussion on race and policing practices in the country.³

As time passed, the uprisings came to symbolize more than a single police killing. A report by the Department of Justice (DOJ) revealed what the residents of majority Black Ferguson, Missouri knew well: Their city's funding was dependent on criminal legal system fines and fees⁴ and Black residents carried the brunt of this burden.⁵ The DOJ report revealed: "African Americans account[ed] for 85% of vehicle stops, 90% of citations, and 93% of arrests made by FPD officers, despite comprising only 67% of Ferguson's population."⁶ Strapped for cash, Ferguson turned towards aggressive enforcement of minor municipal-code infractions to pad their city budget.⁷ The DOJ report detailed how city officials pressured the Ferguson Police Department (FPD) to engage in increasingly aggressive, racist, and unconstitutional policing practices that landed defendants in a harsh and extractive municipal court system.⁸ In this sense, Michael Brown's killing was not an aberration, but the most extreme symptom of a city funded by an aggressive and racist criminal legal system.

The DOJ report stops short of analyzing the causes of Ferguson's budget woes. Tiny Ferguson is one of more than eighty micro-municipalities in St. Louis County.⁹ Ferguson was established as a predominantly white suburb to St. Louis City, drawing white residents fleeing from the city's urban core.¹⁰ Over time, Black residents left the urban core for Ferguson as well, prompting white Ferguson residents to move to even further suburbs. Racist housing and employment policies ensured Ferguson's new Black residents had less generational wealth than

3. See Marisol Bello & Yamiche Alcindor, *Police in Ferguson Ignite Debate About Military Tactics*, USA TODAY (Aug. 14, 2014, 9:26 PM), <https://www.usatoday.com/story/news/nation/2014/08/14/ferguson-militarized-police/14064675/> [<https://perma.cc/52MC-PU8L>].

4. See CIV. RTS. DIV., DEP'T OF JUST., INVESTIGATION OF THE FERGUSON POLICE DEPARTMENT 9–15 (2015), https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf [<https://perma.cc/L8KY-3TCA>].

5. *Id.* at 4, 62–79.

6. *Id.* at 4.

7. *Id.* at 10. ("[T]he City directs FPD to aggressively enforce the municipal code.")

8. See *id.* at 3–4.

9. See Riverfront Times, *Our Very Incomplete Guide to St. Louis County's Municipalities*, RIVERFRONT TIMES (Apr. 27, 2022, 6:31 AM), <https://www.riverfronttimes.com/news/our-very-incomplete-guide-to-st-louis-countys-municipalities-37595988> [<https://perma.cc/R8ZW-WZF6>].

10. DEPARTMENT OF JUSTICE, *supra* note 4, at 6, 76.

Ferguson's former white residents, causing Ferguson to experience economic decline.¹¹ Today, Ferguson's poverty and crime rates are twice that of the national average.¹²

The factors that produced Ferguson's extractive criminal legal system are unique to St. Louis County, but extractive criminal legal systems are commonplace. Across the country, people convicted of crimes are assessed fines and fees designed to, at least in theory, cover the costs incurred by the criminal legal system.¹³ Given the complex interplay of local and national forces shaping criminal legal systems, lawyers and organizers seeking to transform or abolish the criminal legal system must rigorously analyze the political economy of the carceral structure in their locality. Without this analysis, they may fail to recognize how seemingly isolated incidents are products of broader social forces.

In the wake of Michael Brown's killing, local organizers developed their own analysis of the carceral system. Action St. Louis is one of several community organizations that emerged.¹⁴ Rather than a narrow focus on "police reform," Action St. Louis focused on unraveling the complex web of factors that produced Ferguson's criminal legal system.¹⁵ This recognition of the structural nature of police violence has become central to

11. See RICHARD ROTHSTEIN, ECON. POL'Y INST., *THE MAKING OF FERGUSON: PUBLIC POLICIES AT THE ROOT OF ITS TROUBLES* 5–28 (2014), <https://files.epi.org/2014/making-of-ferguson-final.pdf> [<https://perma.cc/F39K-VVV9>]. Federal, state, and local government actions contributing to the economic disenfranchisement of Black people in Ferguson included: zoning rules; segregated public housing; federal subsidies for suburban development that excluded African Americans; and real estate, insurance, and banking regulators who tolerated or required racial exclusion. *Id.*

12. See *QuickFacts: Ferguson City, Missouri*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/fergusoncitymissouri/PST045222> [<https://perma.cc/FGQ9-ZLM9>] (listing poverty rate in Ferguson at 24.9%); EMILY A. SHRIDER, U.S. DEP'T OF COM., U.S. CENSUS BUREAU, *POVERTY IN THE UNITED STATES: 2023*, at 1, 3 (2024), <https://www.census.gov/library/publications/2024/demo/p60-283.html> [<https://perma.cc/66BS-UR47>] (listing national poverty rate in 2023 at 11.1%); *Ferguson, MO: Crime Rates*, NEIGHBORHOOD SCOUT, <https://www.neighborhoodscout.com/mo/ferguson/crime#:~:text=With%20a%20crime%20rate%20of,here%20is%20one%20in%2021> [<https://perma.cc/TB5W-C8ZK>] (listing crime rate in Ferguson is 42.84 per 1,000 residents, much higher than most U.S. communities).

13. See, e.g., MATTHEW MENENDEZ ET AL., BRENNAN CTR. FOR JUST., *THE STEEP COSTS OF CRIMINAL JUSTICE FEES AND FINES* 9 (2019), https://www.brennancenter.org/our-work/research-reports/steep-costs-criminal-justice-fees-and-fines?mc_cid=3f0c8cf121&mc_eid=2c0b9b9880 [<https://perma.cc/7ENF-8NZ2>] (noting fines and fees are inefficient means of raising revenue).

14. See *Housing Justice*, ACTION ST. LOUIS, <https://actionstl.org/housing-justice> [<https://perma.cc/6PV3-FQF3>].

15. See *id.*

progressive activism since the Ferguson uprising.¹⁶

Subsequent movements for racial justice and defunding of the carceral state were profoundly influenced by the analysis and organizing that happened in Ferguson.¹⁷ Continuing in that tradition, this Article describes a collaborative class between University of Miami law students and the Miami-Dade County community organization, Beyond the Bars (BTB). The class, *Building Worker and Community Power to Confront the Carceral State*,¹⁸ engaged students in collaborative projects and learning with BTB members, involving BTB members and organizers as sources of relevant knowledge, expertise, and leadership. The intellectual focus of the course was the political economy of the carceral state, by which we intend to point in two directions of analysis. First are the myriad ways in which sectors of the U.S. economy are deeply invested in maintaining carceral practices. Second are the ways in which carceral practices create and deepen poverty and depress wages in labor sectors that are characterized by precarity and dangerous working conditions. The *methodology* of the class—that is, teaching that embodied “show, don’t tell”—taught students the importance of learning from directly-impacted people and the value of lawyering with

16. See generally Amna A. Akbar, *An Abolitionist Horizon for (Police) Reform*, 108 CALIF. L. REV. 1781 (2020); Dorothy E. Roberts, *Democratizing Criminal Law as an Abolitionist Project*, 111 NW. U. L. REV. 1597 (2017); Michelle Brown et al., *The Legal Violence of Police Calls for Service: Toward New Community Safety Infrastructure*, 4 J.L. & POL. ECON. 964 (2024). The Critical Resistance organization has played a central role in developing and popularizing the analysis of the “prison industrial complex” defined as “the overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social, and political problems.” *What is the PIC? What is Abolition?*, CRITICAL RESISTANCE, <https://criticalresistance.org/mission-vision/not-so-common-language/> [<https://perma.cc/ER2S-NSFJ>]. Angela Davis is often cited as the first to use the term, though she credits activists. See ANGELA Y. DAVIS, *ARE PRISONS OBSOLETE?* 84–86 (2003).

17. See Aaron Morrison, *Michael Brown’s Death Transformed a Nation and Sparked a Decade of American Reckoning on Race*, ASSOCIATED PRESS (2024), <https://apnews.com/article/michael-brown-ferguson-anniversary-racial-justice-06773aab70c16bbbf4835be1bf6037c> [<https://perma.cc/YBH6-W6B5>] (last updated Aug. 16, 2024, 2:48 PM).

18. Recent years have seen a number of law school prison abolition courses. See, e.g., *Abolition Practicum*, COLUM. L. SCH., <https://ccct.law.columbia.edu/content/abolition-practicum> [<https://perma.cc/3FHJ-URAY>] (“Abolition: A Social Justice Practicum with Bernard E. Harcourt and Omavi Shukur”); Syllabus, India Thusi, Abolitionist Policy, Theory, and Praxis Syllabus, Maurer Sch. of L. (Fall 2022) (on file with authors); *Spring 2022 Course Offerings*, CINCINNATI COLL. OF L., <https://law.uc.edu/education/curricula/spring-2022.html> [<https://perma.cc/NL7B-DWNT>] (“Reform, Divest, and Abolish: Leading Issues in Criminal Justice Research, Policy, and Activism (IRTS-7056)”); *Abolition: Imagining a Decarceral Future*, BROOKLYN L. SCH., <https://www.brooklaw.edu/courses/abolition-imagining-a-decarceral-future/> [<https://perma.cc/3B52-YAKE>].

social justice movement organizations.¹⁹ The class syllabus is included as Appendix A.

I. THE SETTING: MIAMI-DADE COUNTY, FLORIDA

Miami-Dade County, Florida, with a population of over 2.7 million,²⁰ is the seventh largest U.S. County.²¹ Hispanics²² are 68.8% of the county population,²³ with white Hispanics making up 33.8% of the county's population.²⁴ At 909,000, white Hispanics are the single largest ethnic/racial group in the county.²⁵ In contrast, Black Hispanic people make up only 1% of the county's population.²⁶ Black non-Hispanic people are 14.9%; white non-Hispanic people are 13%.²⁷ Two or more races of Hispanic ethnicity represent 27.8%.²⁸ 54% of county residents were born outside of the U.S.²⁹ As of 2022, 40.11% of households have annual incomes under \$50,000³⁰

19. See, e.g., Susan D. Carle & Scott L. Cummings, *A Reflection on the Ethics of Movement Lawyering*, 31 GEO. J. LEGAL ETHICS 447, 457 (2018) (“Movement lawyers in contemporary practice follow the leadership of grassroots actors in designing social movement campaigns.”); Anthony V. Alfieri, *Rebellious Pedagogy and Practice*, 23 CLINICAL L. REV. 5, 23 (2016) (stating the goal of the University of Miami Law’s Center for Ethics and Public Service is to educate citizen lawyers whose work “fuses long held traditions of public service and civic professionalism with a more activist, community-based vision of legal advocacy and political organizing”). See generally JOCELYN SIMONSON, *RADICAL ACTS OF JUSTICE: HOW ORDINARY PEOPLE ARE DISMANTLING MASS INCARCERATION* (2023) (describing community bail funds, participatory defense, and other community-based strategies to diminish the impact of the carceral state). For a discussion on bail funds, see Chapter Two. For a discussion of participatory defense, see Chapter Four. *Id.*

20. 2024 *Demographics, Summary Data for County: Miami-Dade*, MIAMI MATTERS, <https://www.miamidadematters.org/demographicdata> [https://perma.cc/SRCZ-VLHG] (last updated Apr. 2024).

21. Veera Korhonen, *The 25 Largest Counties in the United States in 2022, by Population*, STATISTA (July 5, 2024), <https://www.statista.com/statistics/241702/largest-counties-in-the-us/> [https://perma.cc/5NK2-TS9G].

22. We use the source’s terminology “Hispanics.” See 2024 *Demographics, Summary Data for County: Miami-Dade*, *supra* note 20.

23. *Miami-Dade County, FL*, DATA USA, <https://datausa.io/profile/geo/miami-dade-county-fl#:~:text=1.46M%20people-,As%20of%202021%2C%2054%25%20of%20Miami%2DDade%20County%2C,the%20rate%20has%20been%20increasing.> [https://perma.cc/QDA7-FDTU].

24. *Id.*

25. *Id.*

26. *Id.*

27. *Id.*

28. *Id.*

29. *Id.*

30. *Id.*

and over 14% of households live in poverty,³¹ a rate higher than Florida's average of 12.7%.³² There are significant racial differences in income. The median household income for Black³³ households is \$47,776, significantly less than the \$68,754 median household income for white households.³⁴

Miami-Dade is deeply racially segregated.³⁵ While ethnic segregation exists among white persons, with non-Hispanics and Hispanic whites concentrated in different areas of the county, *racial* segregation plays a more dominant role in Black Hispanic residential patterns with the smaller Black Hispanic population mostly concentrated in areas that are predominantly Black non-Hispanic.³⁶

Miami-Dade County operates the eighth largest jail system in the United States,³⁷ with an average inmate population of around 4,000.³⁸ Miami-Dade County also sends the largest population of inmates to Florida state prisons.³⁹ Florida has the third largest incarcerated population

31. *QuickFacts: Miami-Dade County, Florida*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/miamidadecountyflorida/IPE120222> [<https://perma.cc/EUG8-MAXV>].

32. See Jeremy Ney, *The Surprising Poverty Levels Across the U.S.*, TIME (Oct. 4, 2023, 7:00 AM), <https://time.com/6320076/american-poverty-levels-state-by-state/> [<https://perma.cc/G4YD-5QDX>].

33. We use the term Black rather than African American. Census data collected before 2020 did not identify the percentage of Black people that were Caribbean immigrants. Jacqueline Charles, *Caribbean Immigrants Finally Get to Say Where They're from in Census. They Aren't Alone*, VIRGIN ISLANDS DAILY NEWS (Mar. 04, 2020), https://www.virginislandsdailynews.com/print_only/caribbean-immigrants-finally-get-to-say-where-theyre-from-in-census-they-arent-alone/article_6bfc50f0-59c4-52b9-8813-9a81938eba01.html [<https://perma.cc/X5FX-Q7F9>]. The South Florida area, which encompasses Miami-Dade County, has the largest concentration of Caribbean immigrants in the U.S.—with the highest growth led by Haitians and followed by Jamaicans. *Id.* See also Jane Lorenzi & Jeanne Batalova, *Caribbean Immigrants in the United States*, MIGRATION POL'Y INST. (July 22, 2022), <https://www.migrationpolicy.org/article/caribbean-immigrants-united-states#Distribution> [<https://perma.cc/33CE-2Bg2>] (noting Miami-Dade County has the highest share of Caribbean immigrants among all U.S. counties, accounting for 20% of the total Caribbean foreign-born population in the U.S.).

34. *2024 Demographics, Summary Data for County: Miami-Dade*, *supra* note 20.

35. See Shaan Patel, *Past/Present of Segregated Miami*, MIAMI GRID (Apr. 10, 2019), <https://miami-grid.com/2019/04/10/segregated-miami/> [<https://perma.cc/T73F-9UHF>].

36. See NICK PETERSEN & MARISA OMORI, ACLU FLA. GREATER MIAMI, UNEQUAL TREATMENT: RACIAL AND ETHNIC DISPARITIES IN MIAMI-DADE CRIMINAL JUSTICE 9 (2018).

37. *Id.* at 7.

38. The population fluctuates but stays around 4,000. See *Corrections Reports*, MIAMI-DADE CNTY., https://www.miamidade.gov/corrections/library/MDCR_Daily_Jail_Population.pdf [<https://perma.cc/4WHA-RLCS>].

39. PETERSEN & OMORI, *supra* note 36, at 7 (citing 2016 data from Miami-Dade County Corrections & Rehabilitation).

compared to other states.⁴⁰ In Metro-West, Miami-Dade's largest and newest jail facility, eighty men are held in a single cavernous room.⁴¹ For over ten years, Miami-Dade County jails remained under a federal consent decree for failing to provide appropriate physical and mental healthcare and failure to prevent suicides by incarcerated people.⁴² Jail conditions have been the subject of litigation, most recently with regard to overcrowding, inadequate healthcare, and insufficient precautions against spread of the coronavirus.⁴³

Nick Petersen and Marisa Omori's study of four years (2012–2015) of Miami-Dade County criminal court data found significant racial disparities throughout the criminal legal system. Their review of data, including both misdemeanor and felony cases, found that when compared to white persons, Black non-Hispanic individuals had 2.2 times the rate of arrest, 2.3 times greater rates of pretrial detention, 2.5 times greater rates of conviction, and 2.5 times greater rates of incarceration.⁴⁴ But Black Hispanic persons, who make up less than 2% of the population, had even worse outcomes. They had 4 times greater rates of arrest, 4.5 times greater rates of pretrial detention, 5.5 times greater rates of conviction, and 6 times greater rates of incarceration compared to whites.⁴⁵ The punishment for Black non-Hispanic people exceeded that for Black Hispanic individuals on only one measure: They were sentenced to longer prison terms than any other group.⁴⁶ While

40. See EMILY WIDRA, *Appendix I: State Data*, in STATES OF INCARCERATION: THE GLOBAL CONTEXT 2024 (2024), <https://www.prisonpolicy.org/global/2024.html> [perma.cc/L2ZC-Q7K8].

41. See *M-DC Corrections and Rehabilitation-Metro West Detention Center*, JSC HELPLINE SERVS., https://jcs.myresourcedirectory.com/index2.php?option=com_cpx&task=resource&id=266314&view=send&method=print [https://perma.cc/NU3W-FRNT] (noting Metro-West has 3,098 beds for male inmates and is the largest jail in the Miami-Dade Corrections system). In 2023, the co-author of this Article, Donna Coker, observed eighty beds in each of the several rooms in which the class conducted a jail survey in Metro-West.

42. See Douglas Hanks, *After a Decade, Miami-Dade Jails Finally Meeting U.S. Department of Justice Demands*, MIAMI HERALD (Nov. 3, 2023, 5:49 PM), <https://www.miamiherald.com/news/local/community/miami-dade/article281387868.html> [https://perma.cc/UHH3-Y5NR].

43. See Anthony Swain, *What It's Like Inside a Miami Jail as Coronavirus Spreads: "This Place Is a Petri Dish for Disease"*, THE APPEAL (Apr. 6, 2020), <https://theappeal.org/what-its-like-inside-a-miami-jail-as-coronavirus-spreads-this-place-is-a-petri-dish-for-disease/> [https://perma.cc/U6R9-YP9F] (detailing overcrowding, lack of healthcare professionals, and lack of precautions against coronavirus inside Miami jail); see also *Metrowest Coronavirus Lawsuit*, CMTY. JUST. PROJECT (2020), <https://communityjusticeproject.com/metrowestlawsuit> [https://perma.cc/34SA-EV3K].

44. See PETERSEN & OMORI, *supra* note 36, at 5, 9.

45. *Id.* at 5.

46. *Id.*

white non-Hispanic involvement in the criminal system was roughly proportionate to their population,⁴⁷ white Hispanics were *under*-represented as compared to their percentage of the population.⁴⁸

The same pattern held for bail amounts. Black arrestees received higher bail amounts, and this was even more pronounced for Black Hispanics: Black non-Hispanic arrestees received bail amounts that were 15% higher than for whites, while Black Hispanics received amounts 18% higher than did whites.⁴⁹ Partially due to the relatively high bail amounts and relative economic positions of Black individuals, Black people served longer periods of time in pre-trial detention: Black non-Hispanic people served 12% more days than whites and Black Hispanic people served 18% more days than did whites.⁵⁰ Every 1% increase in bond amount was correlated with an 11% increase in time in detention.⁵¹ Time spent in pre-trial detention has a strong relationship to the likelihood of conviction and this was markedly so for Black individuals.⁵² Additionally, Black persons were more likely to receive harsher penalties at conviction.⁵³ Compared with white non-Hispanics, the likelihood of incarceration was 20% higher for Black non-Hispanic defendants and 42% higher for Black Hispanic defendants.⁵⁴

Petersen and Omori found similar patterns in neighborhood comparisons, concluding that these comparisons “suggest that police enforcement . . . is concentrated in Black communities”⁵⁵—with the highest concentration of arrests in neighborhoods with a significant Black Hispanic population.⁵⁶ The Black population grouping likely includes a significant number of Black Haitians.⁵⁷ The highest U.S. population of Haitians resides

47. *Id.*

48. *Id.*

49. See Brandon P. Martinez et al., *Time, Money, and Punishment: Institutional Racial-Ethnic Inequalities in Pretrial Detention and Case Outcomes*, 66 CRIME & DELINQ. 837, 847 (2019).

50. *Id.* at 847.

51. Martinez et al., *supra* note 49, at 847.

52. *Id.* at 850.

53. *Id.*

54. *Id.*

55. PETERSEN & OMORI, *supra* note 36, at 17.

56. *Id.*

57. The 2020 Census reported approximately 1 million U.S. residents who identified as Haitian. See Alli Coritz et al., *New Population Counts for Nearly 1,500 Race and Ethnicity Groups: Census Bureau Releases 2020 Census Population for More Than 200 New Detailed Race and Ethnicity Groups*, U.S. CENSUS BUREAU (Sept. 21, 2023), <https://www.census.gov/library/stories/2023/09/2020-census-dhc-a-race-overview.html> [https://perma.cc/M5MQ-UT7C].

in Florida with the highest concentration in Miami-Dade County.⁵⁸

Local efforts at bail reform and other anti-carceral initiatives have been thwarted by a radically right-wing state legislature and governor. By consolidating power in Florida's conservative state government, Governor Ron DeSantis's administration set out to beat back progressive victories won through local governance and state-wide ballot initiatives. Governor DeSantis championed legislation designed to prevent local governments from cutting any portion of local law enforcement funding;⁵⁹ obstructed the implementation of a ballot initiative that reinstated voting rights for some people with a felony record;⁶⁰ crushed local efforts at bail reform;⁶¹ and supported legislation widely panned as criminalizing protest.⁶² Governor DeSantis also suspended two democratically elected progressive

58. SANT LA HAITIAN NEIGHBORHOOD CTR., PROGRESS AND UNMET CHALLENGES: SANT LA'S PROFILE OF THE HAITIAN COMMUNITY OF MIAMI-DADE, 2010–2015, at 3 (2015), <https://static1.squarespace.com/static/58d15a56440243fa6daa39b3/t/59370484e4fcb527259725f1/1496777893528/Profile+of+Haitian+Community.pdf> [<https://perma.cc/V42L-7TCT>]. Haitians suffer higher unemployment rates than Miami-Dade's County average: 10.4% compared to 7.1%. *Id.* at 10. They also have a 21% lower median income. *Id.* at 12.

59. See Daniel Rivero, *Florida "Defund the Police" Bill Would Strip Local Governments of Final Say on Police Pensions and Budgets*, WLRN (Feb. 10, 2021, 12:34 PM), <https://www.wlrn.org/news/2021-02-10/florida-defund-the-police-bill-would-strip-local-governments-of-final-say-on-police-pensions-and-budgets> [<https://perma.cc/R3TG-LYWN>] (describing DeSantis's support for "HB1 and SB484"—bills that would have prevented the City of St. Petersburg from carrying out its plan to reallocate money for more law enforcement officers towards a non-law enforcement community assistance liaison designed to respond to mental health crises).

60. See FLA. STAT. § 98.0751 (2024) (requiring former felons pay all fines and fees in order to qualify for reinstatement of voting rights). See also Gabriella Sanchez, *In Florida, the Right to Vote Can Cost You*, BRENNAN CTR. FOR JUST. (Sept. 7, 2022), <https://www.brennancenter.org/our-work/analysis-opinion/florida-right-vote-can-cost-you> [<https://perma.cc/9BPB-WST8>] (describing the virtual impossibility of determining one's criminal fines and fees in Florida and DeSantis's campaign to arrest people who voted, believing they had not met the requirements for the restoration of their voting rights).

61. See FLA. STAT. § 903.011 (2024) (stipulating only a judge may grant bail, thereby suspending the usual practice of allowing some arrestees to immediately post bail; also requiring that Florida State Supreme Court establish a uniform statewide bond schedule, thereby preempting local judges from reforming bail practices in their jurisdiction); see also Douglas Hanks, *DeSantis Came to Miami to Fight Bail Reform. Hours Later, Judge Agrees to Back Off*, MIAMI HERALD (Jan. 27, 2023, 9:06 AM), <https://www.miamiherald.com/news/local/community/miami-dade/article271708667.html#storylink=cpy> [<https://perma.cc/HBW5-U4DR>] (describing how judge's efforts to reform the cash bail system in Miami came to a sudden halt when Governor Desantis announced his opposition to local bail reform and a bill designed to prohibit it).

62. See *Case: Challenging Florida's Anti-Protest Law: Dream Defenders v. DeSantis*, LEGAL DEF. FUND, <https://www.naacpldf.org/case-issue/ldfs-lawsuit-challenging-floridas-anti-protest-law/> [<https://perma.cc/4U8V-F9ZH>] (describing the coalition of organizations challenging Governor DeSantis's anti-protest laws as chilling free speech).

prosecutors who he alleged were “soft on criminals.”⁶³ His creation and promotion of the “election police” discouraged newly eligible voters with prior felony convictions from participating in elections.⁶⁴ Governor DeSantis used extreme methods of intimidation to chill reform efforts and to attack political opponents. He endorsed and fundraised for ultra-conservative school board candidates to run against school board members he considered his political opponents, creating partisan divides in nominally non-partisan elections.⁶⁵ Governor DeSantis even attacked Disney, a central part of Florida’s tourism industry long considered too powerful to challenge, for opposing the “Florida Parental Rights in Education Act,” commonly referred to by its opponents as the “Don’t Say Gay Bill.”⁶⁶ As a result of these aggressive tactics, fear of political retribution acted to prevent local governments from engaging in even modest reforms.⁶⁷

II. THE POLITICAL ECONOMY OF THE CARCERAL STATE

Over forty years of deindustrialization shifted the U.S. labor market from long-term, direct hire jobs to precarious, under-regulated work

63. See Cody Butler, *Gov. DeSantis Suspends Orlando-area State Attorney*, WCTV (Aug. 9, 2023, 8:13 AM), <https://www.wctv.tv/2023/08/09/gov-desantis-suspends-orlando-area-state-attorney/> [<https://perma.cc/TW3U-BHWS>] (explaining how DeSantis claimed that Prosecutor Monique Worrell was “too soft on criminals in Orange and Osceola counties”); Michael Moline, *11th Circuit Rebukes DeSantis, Orders a New Trial for Suspended Prosecutor Warren*, FLA. PHOENIX (Jan. 10, 2024, 4:03 PM), <https://floridaphoenix.com/2024/01/10/11th-circuit-rebukes-desantis-orders-a-new-trial-for-suspended-prosecutor-warren/> [<https://perma.cc/WQ6D-HWFN>]; Mitch Perry, *Florida Supreme Court Hears Arguments in Case of Suspended State Attorney Monique Worrell*, FLA. PHOENIX (Dec. 6, 2023, 2:36 PM), <https://floridaphoenix.com/2023/12/06/florida-supreme-court-hears-arguments-in-case-of-suspended-state-attorney-monique-worrell/> [<https://perma.cc/4TKA-FH2B>].

64. See John Kennedy, *Florida Election Crimes Office Dealt With 1,300 Complaints, Continues to Stir Controversy*, TALLAHASSEE DEMOCRAT. (Jan. 17, 2024, 3:10 PM), <https://www.tallahassee.com/story/news/politics/2024/01/17/first-annual-report-shows-florida-election-crimes-office-1300-complaints-draws-controversy/72255279007/> [<https://perma.cc/G254-FNZJ>].

65. Andrew Atterbury, *DeSantis, Conservatives Score More Florida School Board Wins*, POLITICO (Nov. 8, 2022, 9:50 PM), <https://www.politico.com/news/2022/11/08/desantis-conservatives-school-board-00065794#:~:text=TALLAHASSEE%2C%20Fla.,candidates%20he%20backed%20this%20year> [<https://perma.cc/PL27-T3KJ>].

66. See Jesus Jiménez & Brooks Barnes, *What We Know About the DeSantis-Disney Dispute*, N.Y. TIMES (May 19, 2023), <https://www.nytimes.com/article/disney-florida-desantis.html> [<https://perma.cc/4232-4DXL>].

67. See Gary Fineout, *Florida Insiders Fear Vengeful DeSantis Will “Burn It All Down”*, POLITICO (Jan. 23, 2024, 2:11 PM), <https://www.politico.com/news/2024/01/23/florida-desantis-next-vengeance-00137239> [<https://perma.cc/5KMJ-NAER>].

characterized by short-term contracts at low wages with fewer benefits.⁶⁸ This period of neoliberal governance saw a sharp diminishment of the welfare state accompanied by a tremendous growth in the carceral state.⁶⁹ The focus of the course we describe is at the intersection of these conditions.

The U.S. carceral system's intersections and interactions with the labor market contribute to wage stagnation and deepening racialized economic inequality. The system extracts money from the most impoverished families and communities, sequesters workers at crucial wage-earning and child-rearing years,⁷⁰ and funnels carceral system-involved individuals into low-wage, precarious, dangerous, under-regulated forms of employment.⁷¹ The result is to depress wages in low-wage sectors and further diminish the economic vitality of low-income neighborhoods of color.⁷² From initial arrest and booking to probation, parole, or work release, each step in the criminal legal process is not only restrictive but extractive.

Carceral systems impose numerous fines and fees upon the accused—court costs, criminal fines, booking fees, medical fees, even a fee for a public defender—causing poor and working people to deplete their savings and accrue hefty debts.⁷³ U.S. prisons force incarcerated people to work for

68. See generally LOÏC WACQUANT, PUNISHING THE POOR: THE NEOLIBERAL GOVERNMENT OF SOCIAL INSECURITY (2009); HAN LU, NAT'L EMP. L. PROJECT, WORKER POWER IN THE CARCERAL STATE: 10 POLICY PROPOSALS AGAINST THE CRIMINALIZATION OF WORKERS at 4 (2022), <https://www.nelp.org/publication/worker-power-in-the-carceral-state-10-policy-proposals-against-the-criminalization-of-workers/> [<https://perma.cc/VQB5-5JCD>].

69. See Dorothy E. Roberts, *Prison, Foster Care, and the Systemic Punishment of Black Mothers*, 59 UCLA L. REV. 1474, 1478 (2012). See generally Deborah M. Weissman, *Countering Neoliberalism and Aligning Solidarities: Rethinking Domestic Violence Advocacy*, 45 SW. L. REV. 915 (2016) (arguing for situating anti-domestic violence advocacy within the larger analytic frame of political economy in the context of neoliberal policies that deepen inequality); WACQUANT, *supra* note 68 (explaining how U.S. punitive policies in welfare and criminal legal system are responses to social insecurity that penalize poverty and result in an overgrown intrusive penal state); Donna Coker & Ahjané D. Macquoid, *Why Opposing Hyper-Incarceration Should Be Central to the Work of the Anti-Domestic Violence Movement*, 5 U. MIAMI RACE & SOC. JUST. L. REV. 585, 587 (2015).

70. See Coker & Macquoid, *supra* note 69, at 600, 605.

71. See generally NOAH ZATZ ET AL., GET TO WORK OR GO TO JAIL: WORKPLACE RIGHTS UNDER THREAT 13–14 (2016); Emine Fidan Elcioglu, *Producing Precarity: The Temporary Staffing Agency in the Labor Market*, 33 QUALITATIVE SOCIO. 117, 118–19 (2010).

72. See generally LU, *supra* note 68; Coker & Macquoid *supra* note 69, at 608 (“When significant numbers of people who are in the prime years for child-raising and income-production are removed from a neighborhood, the economic and social consequences are felt throughout the neighborhood.”); TODD R. CLEAR, IMPRISONING COMMUNITIES: HOW MASS INCARCERATION MAKES DISADVANTAGED NEIGHBORHOODS WORSE (2007) (noting that high incarceration rates in a geographic locale threaten the economic and political infrastructure of already struggling neighborhoods).

73. See generally MENENDEZ ET AL., *supra* note 13, at 5–12.

little or no pay,⁷⁴ and often in dangerous conditions,⁷⁵ leaving formerly incarcerated people and their families with diminished resources on reentry to society. Families suffer economic hardship not only through the lost wages and household labor of the incarcerated family member, but because of the costs involved in staying in touch, supplying funds for commissary needs, travel costs to visit, and legal representation.⁷⁶

Those released on probation or parole are forced into low-wage and often dangerous employment because the terms of their parole require they be employed.⁷⁷ The system exerts this same power over parents who cannot make child support payments⁷⁸ and impacted workers who fail to pay criminal fines and fees.⁷⁹ Those facing the choice between work and jail are often deprived of standard labor protections.⁸⁰ Employers take advantage of these carceral system-impacted workers—paying them less and treating them worse, which ultimately leads to depressed labor standards and lower wages for all.⁸¹

Worker Centers and labor union organizers are now focused on the impact of mass incarceration on labor, recognizing formerly incarcerated persons as “workers.” For example, the *Real Reentry* campaign, organized by New York City’s Laborer’s Local 79, led a successful campaign for the city’s adoption of Body Shop Bill 2318, which imposed restrictions on construction labor brokers.⁸² The union focused on the impact of mass

74. See ACLU & GLOB. HUM. RTS. CLINIC, CAPTIVE LABOR: EXPLOITATION OF INCARCERATED WORKERS 5–6 (2022) (“More than 76 percent of incarcerated workers [surveyed by the Bureau of Justice Statistics] report that they are required to work or face additional punishment such as solitary confinement, denial of opportunities to reduce their sentence, and loss of family visitation. . . . They have no right to choose what type of work they do and are subject to arbitrary, discriminatory, and punitive decisions by the prison administrators who select their work assignments.”); Ivan Kilgore, *Not Worker, But Chattel*, LAW & POL. ECON. PROJECT (May 11, 2023), <https://lpeproject.org/blog/not-worker-but-chattel/> [https://perma.cc/EM85-U3ML].

75. See, e.g., LU, *supra* note 68, at 6–7, 20.

76. See Beatrix Lockwood & Nicole Lewis, *The Hidden Cost of Incarceration*, THE MARSHALL PROJECT (Dec. 17, 2019, 5:00 AM), <https://www.themarshallproject.org/2019/12/17/the-hidden-cost-of-incarceration> [https://perma.cc/NHT9-PXQG].

77. See ZATZ ET AL., *supra* note 71, at 4–6.

78. *Id.* at 8 (“Among parents who face any child support enforcement action, one in four is incarcerated. Even more strikingly, within the much broader population of all fathers in U.S. cities, we estimate that at least 5% face incarceration for child support at some point, including a remarkable 15% of all African American fathers.” (emphasis omitted)).

79. *Id.* at 2.

80. *Id.* at 13.

81. *Id.*

82. See Letter from Han Lu et al., Senior Pol’y Analyst, to The N.Y. City Council, Comm. on

incarceration on “Black and brown communities [that] has led to an ever growing labor pool of vulnerable, disadvantaged and discriminated-against workers” and highlighted the role of “body shops” in exploiting these vulnerable workers.⁸³ Those on parole are required to get a job or risk losing their parole status.⁸⁴ There are few jobs that will hire someone with a criminal record.⁸⁵ “These body shops take advantage of the scarcity of job opportunities available to formerly incarcerated New Yorkers, and effectively force them into low-wage, dangerous construction jobs.”⁸⁶

The UCLA Institute for Research on Labor and Employment,⁸⁷ the National Employment Law Center,⁸⁸ and a number of local Worker Centers⁸⁹ have been leaders in bringing the exploitation of carceral system-impacted workers to the attention of workers’ rights advocates. As described more fully below, Miami-Dade County’s Beyond the Bars organization is similarly focused on the economic impact of the carceral system and formerly incarcerated individuals as “workers.”

III. BTB & MIAMI LAW: BUILDING WORKER & COMMUNITY POWER TO CONFRONT THE CARCERAL STATE

A. A Brief History of BTB

Beyond the Bars⁹⁰ (BTB) is a Miami-Dade County Worker Center for

Consumer Affs. and Bus. Licensing, RE: Hearing Testimony—“Body Shops” Criminalize Workers, Deepen Structural Racism of the Criminal Legal System, and Degrade Workers’ Wages, Safety, and Voice (Apr. 19, 2021), <https://www.nelp.org/app/uploads/2021/05/NELP-NYC-Council-Body-Shop-Hearing-Testimony.pdf> [<https://perma.cc/45J9-8BKX>] (uploaded online with Nat’l Emp. L. Project on May 26, 2021 and titled “In Support New York Laborers Local 79’s Campaign to Challenge Labor Broker Practices”—highlighting National Employment Labor Project testimony).

83. *We Are Fighting Back*, REAL REENTRY ORG., <https://www.realreentry.org/> [<https://perma.cc/7TXR-HVKM>] (explaining that “body shops” are labor brokers who “exploit parole mandates”). The Real Reentry program is sponsored by NYC Laborer’s Local 70 and the Mason Tenders’ District Council.

84. Lu et al., *supra* note 82.

85. *Id.*

86. *We Are Fighting Back*, *supra* note 83.

87. *See generally About*, UCLA INST. FOR RSCH. ON LAB. AND EMP. (2023), <https://irle.ucla.edu/> [<https://perma.cc/6R32-Y9PN>].

88. *See* NAT’L EMP. L. PROJECT, <https://www.nelp.org/> [<https://perma.cc/QC4P-PKUG>].

89. *See, e.g.*, PHILLY BLACK WORKER PROJECT, <https://www.blackworkers215.org/> [<https://perma.cc/WD6R-SRM9>].

90. *See* BEYOND THE BARS, <https://www.beyondthebars.com/> [<https://perma.cc/T4A2-ZBYF>].

carceral system-impacted⁹¹ workers. Created in response to the carceral conditions during COVID, BTB quickly became a place where carceral systems-impacted people could go to find community and build power.⁹² Some of the first members of BTB were women whose sons or husbands were incarcerated. These initial members shared their experiences of struggling financially while their loved ones were incarcerated. Members described paying hundreds of dollars a month out of their already strained budgets to support and stay in touch with their incarcerated loved ones.⁹³ The impact of an exorbitant collect call rate of 14 cents a minute was felt all the more keenly when in-person visitation was cancelled due to the pandemic.⁹⁴ Additionally, up to 50% of the money they deposited in their loved ones' commissary account could be confiscated to pay off various jail fees for uniforms, daily subsistence, and even for accessing medical care.⁹⁵

BTB members who experienced incarceration talked about the economic hardships they faced as they reentered society. These new members discussed how growing up in impoverished neighborhoods

Melody Sinckler, co-author of this Article, was the BTB staff attorney from August 2022 until August 2023. Much of the history described in this section is within her personal knowledge of, and involvement in, events.

91. We use the term "carceral system-impacted" to include not only people who have experienced incarceration, but their family members and loved ones as well. Approximately 45% of Americans would be considered "carceral system-impacted" by this definition. See Peter K. Enns et al., *What Percentage of Americans Have Ever Had a Family Member Incarcerated?: Evidence from the Family History of Incarceration Survey (FamHIS)*, 5 *SOCIUS* 1, 5 (2019).

92. Information regarding the origins of BTB is derived from personal communication between Melody Sinckler and Maya Ragsdale, the Co-Executive Director of Beyond the Bars (Sept. 2022).

93. For more information regarding the financial impact of incarceration on the family members of those incarcerated, see generally SANETA DEVUONO-POWELL ET AL., WHO PAYS? THE TRUE COST OF INCARCERATION ON FAMILIES (2015) (describing the multiple ways the criminal legal system negatively impacts a family's financial situation) <https://ellabakercenter.org/wp-content/uploads/2022/09/Who-Pays-exec-summary.pdf> [<https://perma.cc/KPN4-P3QD>].

94. See David Ovalle, *Fla. County Jails Slash Prices of Phone Calls for Inmates*, *CORRECTIONS* 1 (Nov. 9, 2021, 7:49 AM), <https://www.corrections1.com/communications/articles/fla-county-jails-slash-prices-of-phone-calls-for-inmates-hEZeAqxbFc43wCz/> [<https://perma.cc/XT7M-MCZA>] (regarding the cost of phone calls in Miami-Dade County jails prior to recent reforms); Atena Sherry, *Thousands Remain in Miami-Dade Jails as Lawsuit Moves Forward*, *MIAMI NEW TIMES* (Apr. 16, 2020), <https://www.miaminewtimes.com/news/miami-dade-jail-lawsuit-seeks-release-of-inmates-amid-coronavirus-pandemic-11622190> [<https://perma.cc/JMC4-76J6>] (reporting on the rise in COVID cases in Miami-Dade jails and the subsequent discontinuation of visits).

95. Donna Coker's personal communication with BTB members (2023). Contrary to popular belief that commissary is used for junk food or luxuries, many incarcerated and formerly incarcerated members of BTB reported using commissary for essential items including supplemental food because of the inadequate food provided by the jail, soap for sensitive skin because the soap provided by the jail caused them to break out in a rash, and over-the-counter pain relievers. See Sherry, *supra* note 94.

contributed to their incarceration and how hard it was to find a job once they returned home from jail. When these members could find jobs, they often worked temporary jobs with low pay, no benefits, no job security, in unsafe work conditions, and in labor sectors where wage theft is rampant.

Based on these experiences of formerly incarcerated individuals and their loved ones, BTB embarked on two separate but related campaigns. One campaign focused on eliminating onerous fees and jail phone call prices paid by incarcerated people and their loved ones.⁹⁶ Another campaign focused on raising awareness regarding and encouraging the enforcement of laws against wage theft—especially in labor sectors where formerly incarcerated workers were most likely to be employed.

By the beginning of the fall 2022 semester, both of BTB's campaigns were in full swing.⁹⁷ The jail fees campaign had experienced considerable success. BTB convinced Miami-Dade County to eliminate a \$2 daily subsistence fee that took in \$1 million dollars a year and created \$72 million dollars in debt owed by carceral system-impacted individuals.⁹⁸ Research by BTB revealed that Miami-Dade Corrections & Rehabilitation Center (MDCR) was receiving 10 cents for every 14 cents collected by the telecommunications company for collect calls made from jails. BTB convinced MDCR to forgo this revenue, resulting in lowering the cost of phone calls from 14 cents a minute, to 5 cents a minute and to providing some calls for free.⁹⁹

To gather data about households in which residents had direct or familial involvement with the criminal legal system, BTB members and a group of UM law and undergraduate students conducted a targeted survey in one municipality.¹⁰⁰ To further the wage theft campaign, BTB members

96. See *supra* note 94 and accompanying text (regarding cost of phone calls in Miami-Dade County).

97. Much of the description of BTB activities derives from personal observations of co-author Melody Sinckler or from personal communications between the authors and BTB Co-Executive Director, Maya Ragsdale.

98. See Douglas Hanks, *No More \$100 Ankle Monitors as Miami-Dade Ends Inmate Fees in County Jails*, MIAMI HERALD (Apr. 2, 2024, 5:16 PM), <https://www.miamiherald.com/news/local/community/miami-dade/article287312060.html#storylink=cpy> [<https://perma.cc/LH3K-P6N3>].

99. See Ovalle, *supra* note 94 (mentioning how Miami-Dade Mayor Danielle Levine Cava said “[T]his was really the right moment.”).

100. The survey was conducted in the city of Opa Locka, a small municipality in Miami-Dade County, that has experienced high rates of poverty and incarceration. See *QuickFacts: Opa-locka City, Florida*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/opalockacityflorida>

began canvassing at probation offices to talk with formerly incarcerated individuals about their post-incarceration work experiences. At the same time, BTB members began meeting with the local office of the Department of Labor (DOL) to discuss how better to ensure that labor laws were enforced in industries in which carceral system-impacted individuals disproportionately work.

B. The Class

With these projects explicitly in mind, we developed a syllabus for the course, *Building Worker and Community Power to Respond to the Carceral State*, that centered the political economy of the carceral system. This class was taught by Maya Ragsdale, the Co-Executive Director of BTB; Melody Sinckler, former Staff Attorney of BTB; and Donna Coker, University of Miami law professor and frequent collaborator and advisor to BTB.

We focus on three interrelated features of the course that together created a powerful learning experience with benefits for BTB organizing campaigns. Those features are first, as described at the outset, a focus on the political economy of the carceral state. This created a course that attracted a broad range of students beyond those interested in criminal system reform. The second feature was the direct collaboration with and student learning from BTB members. The third important feature of the course was the demonstration of “community” or “movement” lawyering in a (mostly) “show, don’t tell” manner.

The class was grounded in reading that is common to the evolving prison abolition pedagogy—including the relationship of racial subjugation to the U.S. phenomenon of mass incarceration¹⁰¹ and prison abolition theory

/POP815223 [<https://perma.cc/AH6W-MS7Q>] (noting poverty rate in Opa-locka is 29.9% and per capita income was \$31,680 in 2023 dollars for the years 2019–2023). A University of Miami Racial Justice Grant supported the effort. See Miami Law Staff Report, *Professor Donna Coker Conducts Surveys on Incarceration and Policing and Gender Violence*, UNIV. OF MIAMI NEWS (Sept. 14, 2023), <https://news.miami.edu/law/stories/2023/09/donna-coker-conducts-surveys.html> [<https://perma.cc/D7T5-2U75>].

101. See ELIZABETH HINTON, FROM THE WAR ON POVERTY TO THE WAR ON CRIME: THE MAKING OF MASS INCARCERATION IN AMERICA 3 (2016) (describing how the explosion in federal law enforcement funding was driven in part by racist stereotypes regarding criminality and African Americans); Mumia Abu-Jamal & Johanna Fernández, *Locking Up Black Dissidents and Punishing the Poor: The Roots of Mass Incarceration in the US*, 28 SOCIALISM & DEMOCRACY 1, 4–7 (2014) (describing how the spike in incarceration during reconstruction and the spike in incarceration in response to the Civil Rights movement was prompted, in part, to repress radical black political dissent).

and practice.¹⁰² But much of the curriculum focused on understanding the racialized impact of the carceral system on low-wage workers and the political economy of the carceral system. This included understanding the financial interests invested in the carceral system.¹⁰³ Students read authors who argued that mass incarceration serves as a tool to discipline marginal workers and to create a hyper-exploitable class of “convicts” relegated to the economic margins.¹⁰⁴ Wendy Bach’s concept of “intersectional regulatory regimes”¹⁰⁵ and Dorothy Roberts’s concept of “system intersectionality”¹⁰⁶ helped to illuminate the ways in which various means of surveillance and punishment—both that of formal criminal systems as well as other systems—intersect to create a web of control of poor people, and particularly poor people of color.

While the course required a close review of interdisciplinary materials, similar to that of a standard seminar, the class was equally focused on action, organizing, and policy change. Coupling theoretical understanding with real-world experiential learning allowed for what one of the authors has elsewhere termed “critical thinking without despair.”¹⁰⁷ This occurred in the

102. See, e.g., Zhandarka Kurti & Michelle Brown, *Carceral Reckoning and Twenty-First Century US Abolition Movements: Generational Struggles in the Fight Against Prisons*, 25 PUNISHMENT & SOC’Y 1353, 1360–64 (2023); Allegra M. McLeod, *Prison Abolition and Grounded Justice*, 62 UCLA L. REV. 1156, 1161–63 (2015); Dorothy E. Roberts, *Foreword: Abolition Constitutionalism*, 133 HARV. L. REV. 1, 8–11 (2019); Rebecca Zietlow, *A Third Reconstruction*, 81 MD. L. REV. 351, 361–64 (2021).

103. See generally Noah Zatz, *From Work in Prison to Carcerality at Work*, LAW & POL. ECON. PROJECT (June 1, 2023), <https://lpeproject.org/blog/from-work-in-prison-to-carcerality-at-work/> [<https://perma.cc/CN75-VMVX>] (describing how carceral system-impacted individuals exist on a carceral labor continuum, at each point of which workers are vulnerable to exploitation by private companies); WORTH RISES, *THE PRISON INDUSTRY: HOW IT STARTED. HOW IT WORKS. HOW IT HARMS* (2020) (describing the various private companies that profit from prisons and other carceral mechanisms).

104. See ZATZ ET AL., *supra* note 71, at 2 (noting that the carceral system compels carceral systems-impacted individuals to work or face the threat of incarceration through probation work requirements, criminal legal fees, and child support payments); Elcioglu, *supra* note 71, at 134–35 (explaining how temporary staffing agencies exploit carceral systems-impacted workers).

105. See Wendy A. Bach, *Prosecuting Poverty, Criminalizing Care*, 60 WM. L. REV. 809, 819 (2019) (describing regulatory intersectionality whereby “social welfare systems collect and transmit evidence of purportedly deviant conduct . . . to child welfare and criminal systems, resulting in . . . escalating harms for poor women who seek support”); see also Priscilla A. Ocen, *The New Racially Restrictive Covenant: Race, Welfare, and the Policing of Black Women in Subsidized Housing*, 59 UCLA L. REV. 1540, 1565–69 (2012) (describing how discriminatory law enforcement practices effectively keep Black women and mothers out of public housing in predominantly white areas).

106. See, e.g., Roberts, *supra* note 69, at 1491–93.

107. See Donna Coker, *Domestic Violence and Social Justice: A Structural Intersectional Framework for Teaching About Domestic Violence*, 22 VIOLENCE AGAINST WOMEN 1426, 1434 (2016).

direct work with BTB members, described below, but also in virtual conversations with activists and attorneys engaged in related work. For example, a class titled *Get to Work or Go to Jail*, included virtual guest speakers Han Lu, Staff Attorney with the National Employment Law Project (NELP); Brittany Alston, Director of the Philly Black Worker Project; Gordon Hill, member of Philly Black Worker Project; and Bernard Callegari, Chief of Staff of the Laborers International Union of North America, Eastern Region (LIUNA). The speakers discussed the successful New York City *Real Reentry* campaign¹⁰⁸ and other organizing efforts that focus on carceral system-involved workers.

Students were assigned to observe and write a reflection paper about a criminal first appearance hearing. While court watching is frequently part of an experiential learning class, this assignment was designed to have students think less about the nuts and bolts of the legal issues at first appearance and more about how the defendants' in-court experiences reflected the themes of the class. As a result, students were able to contrast the negative effects of incarceration against the extremely limited inquiry judges made into people's lives before deciding to incarcerate them. One student recounted the bond hearing of a mother who was the primary caretaker of her children.¹⁰⁹ The mother successfully argued for a reduction of her bond on the basis of her caretaking responsibility. The student was struck by what would have happened had the court rejected her argument, writing: "How would a non-working mother of 4 pay a reduced amount of a \$500 bail? How many meals would she have to consider not feeding her children in order to pay that bail?"¹¹⁰ Another student noted that the court seemed oblivious to the economic realities of carceral system-impacted people, especially as it related to minor offenses, writing: "Both the ASA [Assistant State Attorney] and judge expressed their shock that someone would keep [driving with a suspended license] and subject themselves to arrest over and over again. It felt incredibly tone-deaf and elitist. The reason people continue to get a DWLS [Driving While License Suspended] is because they continue to need to go to work and live their life in a city with no public transportation."¹¹¹

108. See *supra* note 82 and accompanying text.

109. Student Criminal Appearance Hearing Reflection Paper 1 (on file with authors).

110. *Id.*

111. Student Criminal Appearance Hearing Reflection Paper 2 (on file with authors).

The collaborative work with BTB organizers allowed students to understand their organizing strategy as well as the lived experiences of carceral system-involved people. BTB organizers spoke to the class as guest speakers, met with the class for dinner, virtually attended class meetings, and worked alongside students on two substantial projects. These interactions served as practical introductions to movement lawyering, allowing students to gain a better understanding of how lawyers and organizers can build community and power together.

The most involved project was a survey of people incarcerated in two Miami-Dade County jails. As part of BTB's campaign to eliminate all remaining jail fees charged to people in MDCR custody, students and BTB organizers interviewed incarcerated individuals about the benefits of the already implemented phone call cost reduction, the elimination of the daily subsistence fee, and other related matters.¹¹² Students and BTB members participated together in an online mandatory training before conducting the survey and students had a second review of protocols in class. This survey allowed students access to spaces in the jail that criminal defense attorneys rarely see, exposing the brutal realities of incarceration. It also allowed students to develop their skills as interviewers and to have the experience of working side by side with community organizers. BTB benefited from the collaboration as well. The use of students as surveyors allowed BTB, a young and relatively small Worker Center, to pull off the large-scale jail survey necessary to gather data representative of the people held in MDCR custody. Over four days, students and organizers completed 20- to 30-minute surveys with 183 incarcerated individuals.

Students also worked to advance BTB's wage theft project. Two students, working alongside BTB attorneys and organizers, helped develop

112. The survey asked a number of questions related to the accessibility and affordability of jail services including: phone calls, video conferencing calls, and commissary funds; the impact of fines and fees and the elimination of the \$2/day subsistence fee; the affordability of electronic monitoring (\$100 installation and \$2/day use fee); and the affordability of medical and dental care. A second set of questions addressed the financial circumstances of respondents pre- and post-incarceration (for those who had been incarcerated before); the impact of incarceration on the economic well-being of themselves and their family including on employment and housing; the ability post-incarceration to find permanent full time minimum wage job within a year of release; what industries respondents found work post-incarceration; and whether they had ever been threatened with jail because they could not pay costs, fines, or fees. A related question asked about their most recent employment pre-incarceration. A penultimate set of questions asked respondents to select reentry services they would find useful. The final question gathered demographic data including gender, age, ethnicity, race, and education, and voter registration. The unpublished survey and results are on file with the authors.

a know-your-rights training regarding wage theft for carceral-system impacted workers. This allowed the law students to practice becoming “legal knowledge democratizers,” helping to spread useful legal information to carceral system-impacted individuals that they could use to build power.

It was not until after weeks of engaging in dialogue with co-teachers Maya, Melody, and other BTB members, that the class explicitly engaged in a conversation about “community” or “movement” lawyering.¹¹³ This organic conversation allowed students to first notice the ways that Maya and Melody used legal expertise in the service of BTB organizing, policy advocacy, and campaigns. The subsequent explicit conversation introduced students to relevant reading and concepts.¹¹⁴ Lydia Ghuman, an Equal Justice Fellow working with BTB who co-supervised students in the wage theft project, helped to teach the class.

C. Student and Organizer Reflections

At the conclusion of the semester, students and BTB organizers were asked to reflect on their experiences in the class. Several students spoke about the personal impact of their experience of administering surveys to incarcerated individuals. While most students had prior academic knowledge of the carceral system before enrolling in the class, several

113. See, e.g., Charles Elsesser, *Community Lawyering- The Role of Lawyers in the Social Justice Movement*, 14 LOY. J. PUB. INT. L. 375, 384–85 (2013) (“The central tenet of ‘community lawyering’ is that social change comes about when people without power, particularly poor people or oppressed people, organize and recognize common grievances. . . . Community lawyering can assist fundamental and long-term change [] through supporting grassroots organizing in all its aspects [sic] community education, organizational development, and leadership development.”); Scott L. Cummings, *Movement Lawyering*, 2017 U. ILL. L. REV. 1645, 1689–1716 (“[M]ovement lawyering is the mobilization of law through deliberately planned and interconnected advocacy strategies, inside and outside of formal law-making spaces, by lawyers who are accountable to politically marginalized constituencies to build the power of those constituencies to produce and sustain democratic social change goals that they define.”).

114. Students read about how attorneys and organizers can work together to build community power in a community or movement lawyering model of lawyering. Readings included: William P. Quigley, *Reflections of Community Organizers: Lawyering for Empowerment of Community Organizations*, 21 OHIO N.U. L. REV. 455 (1994) and Angela Harris et al., *From “The Art of War” to “Being Peace”: Mindfulness and Community Lawyering in a Neoliberal Age*, 95 CALIF. L. REV. 2073 (2007). Students also read about transformative individual representation such as Rebecca Sharpless, *More Than One Lane Wide: Against Hierarchies of Helping in Progressive Legal Advocacy*, 19 CLINICAL L. REV. 347 (2012) (discussing how progressive legal advocacy is not limited to movement lawyering or impact litigation but also occurs through individual representation).

students noted that the experience of administering a survey in jail helped them unpack preconceived ideas they had about incarcerated people and understand more deeply the carceral experience. Others spoke movingly of the importance of the collaboration with BTB. As one student noted:

I really enjoyed all the classes and activities that involved BTB members. As the people on the ground, from and closely related to the communities most impacted by the issues we discussed, I found their perspectives and input the most insightful and informative. It is one thing to look at graphs and statistics reflecting the pervasiveness of a particular issue. It is another thing entirely to hear from the people being directly impacted by these issues themselves.¹¹⁵

Law student involvement in the jail survey and the wage theft know-your-rights work dramatically expanded the capacity of the small BTB organization. But beyond this impact, BTB members expressed that the collaboration had other important benefits.

The opportunity for our members to share their lived experiences with future legal professionals is both empowering and transformative. Knowing that their voices were heard by prospective prosecutors, public defenders, and private attorneys created a meaningful connection between the impacted community and those who will shape the future of the legal landscape. [The class] ... foster[ed] an inclusive learning environment that not only educates but also humanizes the narratives of those directly affected by the criminal justice system.¹¹⁶

- Katherine Passley, Co-Executive Director, Beyond the Bars

The most memorable experience for me was when we surveyed the jails. . . . Seeing firsthand how people resided

115. Student Class Reflection Paper 1 (quoted with permission and on file with authors).

116. Personal communication between co-author Donna Coker & Katherine Passley (2023) (quoted with permission).

inside of jail was an emotional struggle. I believe we all walked away feeling defeated by the unjust treatment people experienced, the massive amount of debt many of them had, the expensive commissary and many of them were starving, and the limited ability to have contact with family and friends on the outside. In addition to these horrid conditions, one of the students wanted to drink some water and was told by the officer not to drink the water from the container [shared by those incarcerated in the jail]. [Instead,] [o]ne of the officers handed each of us a bottle of water. Later, the student spoke up about that experience and how terrible she felt receiving a water bottle. Tears began to fill up in my eyes as I heard the anguish in her voice. I didn't know that that experience was so hard for her. It is a moment that will be forever memorable to me.¹¹⁷

- Angela Pinder, Membership Coordinator, Beyond the Bars

Visiting the jail, conducting surveys on fees, and collaborating with law students provided valuable insights into inmates' perspectives. I enjoyed the opportunity to give back and to witness law students gaining a deeper understanding of the challenges inmates face.¹¹⁸

- Freddy Pierre, Community Organizer, Beyond the Bars

CONCLUSION

We conclude by describing the conditions that we believe were necessary to make this a successful collaboration that both enhanced student learning and provided meaningful assistance for BTB. First, unlike many community organizations, BTB had full-time paid staff—four at the time the class met.¹¹⁹ This allowed BTB members to devote the time necessary to prepare for and conduct jail surveys that took the better part of a

117. Personal communication between co-author Donna Coker & Angela Pinder (2023) (quoted with permission).

118. Personal communication between co-author Donna Coker & Freddy Pierre (2023) (quoted with permission).

119. Personal communication between Donna Coker & Maya Ragsdale, Co-Executive Director, BTB (2023).

day. Second, BTB leadership had the capacity to set priorities and determine campaign strategy. Though the cost of phone calls and subsistence fees were financially difficult for the families who had to pay them, they did not represent a significant part of the 8-billion-dollar Miami-Dade budget, making a change politically feasible.¹²⁰ Even so, it took considerable effort to effectuate the changes. Third, the law school provided needed resources. The co-teachers Maya Ragsdale and Melody Sinckler were hired by the University of Miami as adjunct professors. The full-time faculty member (Donna Coker) handled most of the significant administrative tasks involved in the class. Fourth, on the academic side, the class fit well within the structure of class offerings at the University of Miami Law School. The class helped to fill a gap by offering an experiential community-engaged learning experience that did not require the commitment of time and course credits required for enrollment in the school's clinics. Further, the topic was of interest to a broad range of students including those interested in criminal law reform and criminal defense, labor law, poverty law, and movement lawyering. Finally, students had to apply to be admitted to the course, giving Professor Coker the opportunity to convey to them the nature of the commitment involved.

Experiential classes of this nature offer opportunities to engage students in meaningful movement lawyering experiences, introduce them to the political economy of the carceral state, and develop "soft" lawyering skills that promote solidarity with those directly impacted by mass incarceration. In turn, the organization benefits from the assistance provided by the students, the access to university resources and knowledge, and the co-development of lawyers for social justice. The class presents an example of the pedagogical and power-building possibilities of collaboration between law schools and grassroots community organizations.

As one student noted,

Clinical training often stresses the importance of client-centered lawyering skills, but *partnering* with a community organization provides a whole new perspective. . . . The prevailing attitude in law school is still kind of "we know best" paternalism. This class shows law students ways that

120. See David Volz, *Miami-Dade County Passes 2025 Budget*, SOUTH DADE NEWS LEADER (Sep 27, 2024), southdadenewsleader.com [https://perma.cc/NMB6-73GV].

we can use our education to support social movements. It also gives students the chance to question and critique legal institutions and ideas that are taught in doctrinal courses, especially 1L courses.¹²¹

121. Student Class Reflection Paper 2 (quoted with permission & on file with authors).

APPENDIX A¹²²Building Worker & Community Power to Respond to the Carceral State
SyllabusFall 2023 University of Miami School of Law
Donna Coker, Maya Ragsdale, Melody Sinckler

Reading: The reading material consists of the required text—JOCELYN SIMONSON, *RADICAL ACTS OF JUSTICE* (2023) [hereinafter Simonson] (material posted on Blackboard)—and material linked to in the syllabus. Links to material are also posted on Blackboard. Simonson’s book is available at Amazon and New Press. Classes that are available for co-facilitation are noted by the symbol †. Signup for co-facilitation is available on Blackboard.

I. INTRODUCTION TO THE U.S. “PRISON NATION”¹²³

Week 1: The first class provides an orientation to the course; an introduction to the work of Beyond the Bars (BTB); and an overview of the reach of the carceral system. BTB is focused on Miami-Dade County jails and communities. As Alexandra Natapoff describes, much of scholarship and advocacy fails to appreciate the contribution of jails to mass incarceration.

Building the Power of People Impacted by Incarceration in Miami: To Achieve Dignity and Justice, BEYOND THE BARS ORG., <https://www.beyondthebars.com/> [<https://perma.cc/6VD8-NVEN>]. *Skim the website to familiarize yourself with the organization.*

SIMONSON, *Introduction*.

Sherea Green, *Daily Jail Population Stats. for 4/3/2025*, MIAMI-DADE CORRECTIONS & REHABILITATION DEP’T, (Apr. 3, 2025), https://www.miamidade.gov/corrections/library/MDCR_Daily_Jail_Population.p

122. Professor directions are noted by italicized sentences. Excerpts are noted by parenthetical.

123. The term is borrowed from Professor Beth Richie. See BETH E. RICHIE, *ARRESTED JUSTICE: BLACK WOMEN, VIOLENCE, AND AMERICA’S PRISON NATION* (2012).

df [<https://perma.cc/Y2GD-A6KE>]. *The stats here change daily. What do you note about demographics? Length of stay? What surprises you?*

Wendy Sawyer & Peter Wagner, *Mass Incarceration: The Whole Pie 2023*, PRISON POL'Y ORG., (Mar. 14, 2023), <https://www.prisonpolicy.org/reports/pie2023.html> [<https://perma.cc/6ASC-KQTR>]. *The Prison Policy link provides detailed data regarding incarceration in jails, state prisons, and federal prisons. As you read the materials, think about the differences in populations and in convictions in the differing institutions.*

Peter K. Enns et al., *What Percentage of Americans Have Ever Had a Family Member Incarcerated?: Evidence from the Family History of Incarceration Survey (FamHIS)*, 5 SOCIUS: SOC. RSCH. FOR A DYNAMIC WORLD 1, 1–10. (2019).

Alexandra Natapoff, *Misdemeanors*, in ACADEMY FOR JUSTICE, A REPORT ON SCHOLARSHIP & CRIMINAL JUSTICE REFORM 73–101 (Erik Luna ed., 2017) [hereinafter Natapoff].

Angel E. Sanchez, *In Spite of Prison*, 132 HARV. L. REV. 1650 (2019).

II. DISMANTLING THE POLITICAL ECONOMY OF THE CARCERAL STATE

†Week 2: War on Crime: War on Poor People

NOTE: Deadline to request Wage Theft Workshop Project.

ELIZABETH HINTON, FROM THE WAR ON POVERTY TO THE WAR ON CRIME (2016) (excerpt).

Wendy A. Bach, *Prosecuting Poverty, Criminalizing Care*, 60 WILLIAM & MARY L. REV. 898 (2019) [hereinafter Bach] (excerpt).

LOÏC WACQUANT, *PUNISHING THE POOR* (2009), excerpts from Prologue & Chapter 2.

Mumia Abu-Jamal & Johanna Fernández, *Locking Up Black Dissidents and*

Punishing the Poor: The Roots of Mass Incarceration in the U.S., 28(3) SOCIALISM AND DEMOCRACY 1 (2014).

Week 3: Fines, Fees, Jails, Bail: Focus on Miami-Dade

Guest Speakers: BTB Members

Students are invited to attend dinner with BTB members immediately following class at 5:30.

Review Miami-Dade County jail data from class #1.

Review Natapoff, from class #1.

NICK PETERSEN & MARISA OMORI, UNEQUAL TREATMENT: RACIAL & ETHNIC DISPARITIES IN MIAMI-DADE CRIMINAL JUSTICE, ACLU FLA. GREATER MIAMI (2018).

SIMONSON, *Community Bail Funds*.

Miami-Dade case study materials:

Douglas Hanks, *Miami-Dade Jails Charge \$2 a Day for Room and Board. Few Pay: Inmates Owe \$72 Million*, Miami Herald (May 5, 2022, 11:49 AM), <https://www.miamiherald.com/news/local/community/miami-dade/article261043022.html> [https://perma.cc/25BG-ZX9B].

David Ovalle, *Fla. County Jails Slash Prices of Phone Calls for Inmates*, Corrections 1 (Nov. 9, 2021, 7:49 AM), <https://www.corrections1.com/communications/articles/fla-county-jails-slash-prices-of-phone-calls-for-inmates-hEZeAqxlbfC43wCz/> [https://perma.cc/L8CM-452Z].

C.R. DIV., U.S. DEP'T OF JUST., INVESTIGATION OF THE FERGUSON POLICE DEPARTMENT (Mar. 4, 2015) (excerpt).

JACKIE WANG, *CARCERAL CAPITALISM* 187–192 (2018).

Fines & Fees, BRENNAN CTR. FOR JUST. (2019), <https://www.brennan-center.org/issues/end-mass-incarceration/changing-incentives/fees-fines> [<https://perma.cc/S2R2-5BLL>].

Week 4: Court observation in lieu of regular class. See First Appearances Assignment.

†**Week 5: “Intersectional Regulatory Regimes”**

Review Bach assigned for class #2.

Bruce Western & David J. Harding, *Careers in Criminalization: Reentry, Recidivism, & Repeated Incarceration*, 51 *CRIME & JUSTICE* 435 (2022) (excerpt).

Jay Holder et al., *Concentrated Incarceration, and the Public-Housing-to-Prison Pipeline in New York City Neighborhoods*, 119 *PNAS* 1 (2022).

Dorothy E. Roberts, Book Review, *Digitizing the Carceral State*, 132 *Harv. L. Rev.* 1695 (2019) (reviewing VIRGINIA EUBANKS, *AUTOMATING INEQUALITY: HOW HIGH-TECH TOOLS PROFILE, POLICE, AND PUNISH THE POOR* (2018)) (excerpt).

Priscilla A. Ocen, *The New Racially Restrictive Covenant: Race, Welfare, and the Policing of Black Women in Subsidized Housing*, 59 *UCLA L. REV.* 1540 (2012) (excerpt).

Week 6: “Get to Work or Go to Jail”

Guest Speakers (online): Han Lu, Senior Staff Attorney, National Employment Law Project; Brittany Alston, Director, Black Philly Workers Center; Gordon Hill member, Black Philly Workers Center; Bernard Callegari, Chief of Staff, Laborers International Union of North America, Eastern Region (LIUNA).

Emine Fidan Elcioglu, *Producing Precarity: The Temporary Staffing Agency in the Labor Market*, 33 QUAL. SOCIOLOG. 117 (2010).

NOAH ZATZ ET AL., GET TO WORK OR GO TO JAIL: WORKPLACE RIGHTS UNDER THREAT (UCLA Labor Center for Research on Labor & Employment) (2016).

HAN LU, NELP, WORKER POWER IN THE CARCERAL STATE: 10 POLICY PROPOSALS AGAINST THE CRIMINALIZATION OF WORKERS (2022).

MIAMI-DADE, FLA., CODE § 2-8.9 (titled Living Wage Ordinance for County Service Contracts and County Employees).

FLA. STAT. § 448 (2024).

†Week 7: Understanding the Prison Industry

Ivan Kilgore, *Not Worker, But Chattel*, LPE PROJECT (May 11, 2023), <https://lpeproject.org/blog/not-worker-but-chattel/> [<https://perma.cc/4QQ8-6W4M>].

Noah Zatz, *From Work in Prison to Carcerality at Work*, LPE PROJECT (June 1, 2023), <https://lpeproject.org/blog/from-work-in-prison-to-carcerality-at-work/> [<https://perma.cc/JHU2-LCMQ>].

Tiffany Yang, *Public Profiteering of Prison Labor*, 101 NC L. REV. 313 (2023) (excerpt).

Press Release, Worth Rises, *The Prison Industry: Mapping Private Sector Players*, 5–7 (May, 2020).

WORTH RISES, THE PRISON INDUSTRY: HOW IT STARTED, HOW IT WORKS, HOW IT HARMS (2020).

†Week 8: Abolition as an Extension of Reconstruction

Allegra M. McLeod, *Prison Abolition and Grounded Justice*, 62 UCLA L.

REV. 1156 (2025) (excerpts).

Dorothy E. Roberts, *Foreword: Abolition Constitutionalism*, 133 HARV. L. REV. 1 (2019).

Rebecca Zietlow, *A Third Reconstruction*, 81 MD. L. REV. 351 (2021).

SIMONSON, *People's Budgets*; SIMONSON, *Afterword*.

Jail Survey October 24–27, Tuesday–Friday
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Week 9: Jail Survey (in lieu of regular class)

Week 10: The Role of Prosecutors in Diminishing Mass Incarceration: Miami-Dade “Smart Justice”; Progressive Prosecutors

Guest Speakers: Stephen Talpins, Chief Assistant State Attorney, Miami-Dade County; Sara Yousuf, Senior Attorney, Justice Research Group (formerly San Francisco District Attorney’s Office, Deputy Director of Communication).

Benjamin Wallace-Wells, *Why San Francisco Fired Chesa Boudin*, THE NEW YORKER (June 8, 2022), <https://www.newyorker.com/news/the-political-scene/why-san-francisco-fired-chesa-boudin> [<https://perma.cc/TF5A-4ZGD>].

Sam Levin, *Where Did it Go Wrong for Chesa Boudin, San Francisco’s Ousted Progressive DA?*, THE GUARDIAN (June 9, 2022), <https://www.theguardian.com/us-news/2022/jun/08/chesa-boudin-san-francisco-recall-analysis> [<https://perma.cc/J9FN-WF2H>].

Katherine Fernandez Rundle and Stephen K. Talpins, *Smart Prosecutions: Data Driven Responses to Gun Violence*, 55 THE PROSECUTOR, July 2021; *Smart Justice: Improving Traffic Safety and Supporting Victims by Providing Driver’s Licenses to Undocumented Immigrants*, 28 NAT’L TRAFFIC L. CTR.: BETWEEN THE LINES, Jan. 2020; *21st Century Prosecutions: Miami-Style Smart Justice*, 54 THE PROSECUTOR, Apr. 2020;

How Miami-Dade Prosecutors Deliver a 'Second Chance', THE CRIME REPORT, July 10, 2019.

Week 11: Jail Survey Debrief\Movement Lawyering to Respond to the Carceral State

Guest Speaker: Lydia Ghuman, Equal Justice Fellow, Community Justice Project.

William P. Quigley, *Reflections of Community Organizers: Lawyering for Empowerment of Community Organizations*, 21 OHIO N.U. L. REV. 455 (1995).

Angela Harris et al., *From "The Art of War" to "Being Peace": Mindfulness and Community Lawyering in a Neoliberal Age*, 95 CALIF. L. REV. 2073 (2007).

Rebecca Sharpless, *More Than One Lane Wide: Against Hierarchies of Helping in Progressive Legal Advocacy*, 19 CLINICAL L. REV. 347 (2012).

Kiyomi Bolick, *Harnessing Union Power for Public Defense*, INQUEST (Mar. 16, 2023), <https://inquest.org/harnessing-union-power-for-public-defense/> [<https://perma.cc/FSQ6-7CV3>].

Week 12: Student Presentations on Paper Topics

Week 13: Student Presentations on Paper Topics

Week 14: Student Presentations on the Wage Theft Project; Closing